



UNITED STATES DEPARTMENT OF COMMERCE
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Paper No. 83

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DEPUTY ASST. COMM.

In re Application of
Ole K. Nilssen
Serial No. 787,892
Filed: October 15, 1985

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: ON PETITION

This is a decision on the petition under 37 CFR 1.181, filed February 22, 1991, requesting review of the decision of the Director of Examining Group 210.

The petition is granted to the extent that the decision of the Group Director has been reviewed but is dismissed with respect to making any change therein.

The file record indicates that a petition to the Group Director was filed November 1, 1990. That petition was returned to petitioner by the Director of Group 210 since he found the remarks contained therein to have violated 37 CFR 1.3.

Petitioner request review of the Group Directors decision with regard to that petitions compliance with 37 CFR 1.3.

37 CFR 1.3 requires that applicants conduct their business with the Patent and Trademark Office with decorum and courtesy. Papers presented in violation of the requirement can be returned.

A review of that petition clearly discloses a lack of decorum and courtesy in reference to the Examiner's ability. A review of the record indicates petitioner has previously petitioned to have the Group Director's decision reviewed with regard to an appeal brief which violated 37 CFR 1.3. As was stated in that decision, there is no excuse for applicant's lack of decorum and courtesy in official proceedings. The Office should not and will not tolerate a lack of decorum from applicant. Accordingly, the decision of the Director of Group 210 to return the petition to applicant was correct.

The copy of the petition submitted November 1, 1990 is being returned in accordance with 37 CFR 1.3.

The application is being forwarded to Group 210.



Jeffrey V. Nase
Supervisory Petitions Examiner
Office of the Assistant Commissioner
for Patents

ATTACHMENT: Copy of November 1, 1990 petition